

Remarks

The Office Action mailed July 28, 2005 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-48 are now pending in this application. Claims 1-8, 11-13, 16-23, 25-33, 36, 37, and 40-46 stand rejected. Claims 9, 10, 14, 15, 24, 34, 35, 38 and 39 are objected to but are indicated as allowable if rewritten in independent form. Claims 47-48 have been newly added. No new matter has been added.

A fee calculation sheet for the newly added claims and authorization to charge a deposit account in the amount of the calculated fee are submitted herewith. In addition, in accordance with 37 C.F.R. 1.136(a), a two month extension of time is submitted herewith to extend the due date of the response to the Office Action dated July 28, 2005, for the above-identified patent application from October 28, 2005, through and including December 28, 2005. In accordance with 37 C.F.R. 1.17(a)(3), authorization to charge a deposit account in the amount of \$450.00 to cover this extension of time request also is submitted herewith.

The rejection of Claims 1-8, 11-13, 16, 18-23, 25-33, 36, 37, and 40-46 under 35 U.S.C. § 102(b) as being anticipated by Kosiba et al. (U.S. Patent No. 6,098,052) ("Kosiba") is respectfully traversed.

Applicants respectfully submit that Kosiba does not describe or suggest the claimed invention. As discussed below, at least one of the differences between Kosiba and the present invention is that Kosiba does not describe or suggest a system for prioritizing debt collections for a collector having customers with debt relating to an item acquired by a customer, wherein the system includes a server configured to receive data relating to items associated with debt collections, and *generate a collection priority value for each item entered into the system wherein the collection priority value is based on a credit score of the customer and an internal payment history score of the customer.* (Emphasis added.)

Moreover, Applicants respectfully submit that Kosiba does not describe or suggest system for prioritizing debt collections that includes a server configured to *generate a collection*

prioritization for the items stored within the system based on the collection priority value assigned to each item, and provide a queue of prioritized items to the collector to drive collection efforts. (Emphasis added.)

Kosiba describes a computerized collection strategy model for use in collecting payments from delinquent accounts. The computerized collection strategy model estimates for each possible collection strategy, how much will be paid on each account in response to that collection strategy, estimates the amount of resources to be expended in the execution of that collection strategy, and recommends a particular collection strategy for each account that optimizes the use of the available collection resources.

Notably, although Kosiba is directed to a collection strategy model for use in collecting payments from delinquent accounts, Kosiba does not describe or suggest generating a collection priority value for each item entered into the system wherein the collection priority value is based on a credit score of the customer and an internal payment history score of the customer, or generating a collection prioritization for the items stored within the system based on the collection priority value assigned to each item.

Claim 1 recites a system for prioritizing debt collections for a collector having customers with debt relating to an item acquired by a customer, the system including at least one computer, a server configured to “receive data from the at least one computer relating to items associated with debt collections...generate a collection priority value for each item entered into said system, the collection priority value is based on a credit score of the customer and an internal payment history score of the customer...generate a collection prioritization for the items stored within said system based on the collection priority value assigned to each item...generate reports of collection activity associated with the items...and provide a queue of prioritized items to the collector to drive collection efforts...and a network interconnecting said server to said computers.”

Kosiba does not describe or suggest a system for prioritizing debt collections for a collector having customers with debt relating to an item acquired by a customer, wherein the system includes a server configured to receive data relating to items associated with debt

collections, and *generate a collection priority value for each item entered into the system wherein the collection priority value is based on a credit score of the customer and an internal payment history score of the customer.* (Emphasis added.)

Moreover, Kosiba does not describe or suggest system for prioritizing debt collections that includes a server configured to *generate a collection prioritization for the items stored within the system based on the collection priority value assigned to each item*, and provide a queue of prioritized items to the collector to drive collection efforts. (Emphasis added.)

Rather, Kosiba describes a computerized collection strategy model for use in collecting payments from delinquent accounts. The computerized collection strategy model estimates for each possible collection strategy, how much will be paid on each account in response to that collection strategy, estimates the amount of resources to be expended in the execution of that collection strategy, and recommends a particular collection strategy for each account that optimizes the use of the available collection resources. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Kosiba.

For at least the reasons as set forth above, Applicants respectfully request that the 35 U.S.C. § 102(b) rejection of Claim 1 be withdrawn.

Claims 2-8, 11-13, 16 and 18-20 depend from independent Claim 1 which is submitted to be in condition for allowance. When the recitations of Claims 2-8, 11-13, 16 and 18-20 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-8, 11-13, 16 and 18-20 are also patentable over Kosiba.

Claim 21 recites a system for prioritizing debt collections for a collector having customers with debt relating to an item acquired by a customer, the system includes “means for receiving data relating to items associated with debt collections...means for producing a collection priority value for an item to be collected, the collection priority value is based on a credit score of the customer and an internal payment history score of the customer...means for producing a collection priority queue based upon the collection priority value and data received, the collection priority queue used for conducting collection activities...and means for producing a report regarding an outcome of collection activities.”

Claim 21, as herein amended, recites a system for prioritizing debt collections that includes means for performing steps essentially similar to those steps performed by the server recited in Claim 1. Thus, it is submitted that Claim 21 is patentable over Kosiba for reasons that correspond to those given with respect to Claim 1.

For at least the reasons as set forth above, Applicants respectfully request that the 35 U.S.C. § 102(b) rejection of Claim 21 be withdrawn.

Claims 22-23 and 25 depend from independent Claim 21 which is submitted to be in condition for allowance. When the recitations of Claims 22-23 and 25 are considered in combination with the recitations of Claim 21, Applicants submit that dependent Claims 22-23 and 25 are also patentable over Kosiba.

Claim 26 recites a method for prioritizing debt collections for a collector having customers with debt relating to at least one item acquired by a customer, the method includes “uploading data to a computer relating to items associated with debt collections...and calculating a collection priority value for each item uploaded, the collection priority value is based on a credit score of the customer and an internal payment history score of the customer, the calculation is performed by the computer.”

Claim 26, as herein amended, recites a method for prioritizing debt collections that includes steps essentially similar to those steps performed by the server recited in Claim 1. Thus, it is submitted that Claim 26 is patentable over Kosiba for reasons that correspond to those given with respect to Claim 1.

For at least the reasons as set forth above, Applicants respectfully request that the 35 U.S.C. § 102(b) rejection of Claim 26 be withdrawn.

Claims 27-33, 36, 37 and 40-44 depend from independent Claim 26 which is submitted to be in condition for allowance. When the recitations of Claims 27-33, 36, 37 and 40-44 are considered in combination with the recitations of Claim 26, Applicants submit that dependent Claims 27-33, 36, 37 and 40-44 are also patentable over Kosiba.

Claim 45 recites a computer program embodied on a computer-readable medium for prioritizing debt collections for a collector having customers with debt relating to an item acquired by a customer, the program includes at least one code segment that “records data relating to items associated with debt collections...generates a collection priority value for each item recorded, the collection priority value is based on a credit score of the customer and an internal payment history score of the customer...assigns a collection priority value to each item...and provides a queue of prioritized items to collectors to drive collection efforts based on the collection priority value assigned to each of the items.”

Claim 45, as herein amended, recites a computer program that includes at least one code segment programmed to perform steps essentially similar to those steps performed by the server recited in Claim 1. Thus, it is submitted that Claim 45 is patentable over Kosiba for reasons that correspond to those given with respect to Claim 1.

For at least the reasons as set forth above, Applicants respectfully request that the 35 U.S.C. § 102(b) rejection of Claim 45 be withdrawn.

Claim 46 depends from independent Claim 45 which is submitted to be in condition for allowance. When the recitations of Claim 46 are considered in combination with the recitations of Claim 45, Applicants submit that dependent Claim 46 is also patentable over Kosiba.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1-8, 11-13, 16, 18-23, 25-33, 36, 37, and 40-46 be withdrawn.

The rejection of Claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Kosiba is respectfully traversed.

Kosiba is described above.

Claim 17 depends from independent Claim 1. Claim 1 is recited hereinabove.

As discussed above, Kosiba does not describe or suggest the system recited in Claim 1. Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 1 is patentable over Kosiba.

When the recitations of Claim 17 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 17 likewise is patentable over Kosiba.

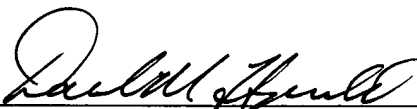
For at least the reasons set forth above, Applicants respectfully request that the rejection of Claim 17 under 35 U.S.C. § 103(a) be withdrawn.

Newly added Claim 47 is an independent claim that recites a “system for prioritizing debt collections for a collector having customers with debt”. Claim 47 includes the recitations of independent Claim 1, allowable dependent Claim 14, and intervening dependent Claim 2. Accordingly, Claim 47 is patentable over Kosiba and is in condition for allowance. Accordingly, it is submitted that newly added Claim 47 is patentable.

Newly added Claim 48 is an independent claim that recites a “system for prioritizing debt collections for a collector having customers with debt”. Claim 48 includes the recitations of independent Claim 1, allowable dependent Claim 9, and intervening dependent Claim 2. Accordingly, Claim 48 is patentable over Kosiba and is in condition for allowance. Accordingly, it is submitted that newly added Claim 48 is patentable.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,


Daniel M. Fitzgerald
Registration No. 38,880
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070